

**Notice of Allowability**

Application No.

10/771,280

Examiner

Darren W. Ark

Applicant(s)

CLARK ET AL.

Art Unit

3643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amdt. filed 1/21/05.
2. ☒ The allowed claim(s) is/are 1-38.
3. ☒ The drawings filed on 03 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**DARREN W. ARK**  
**PRIMARY EXAMINER**

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The following amendments were made to overcome claim objections and 35 U.S.C. 112, 2<sup>nd</sup> paragraph problems in the claims, but were not made to overcome any of the prior art of record. The application has been amended as follows:

Claim 1, line 13, replaced "." at the end of the line with --,--.

Claim 4, line 1, replaced second occurrence of "the" with --an--.

Claim 7, line 5, deleted "the" and replaced "pattern" with --patterns--.

Claim 8, line 13, inserted --of-- after "selected one".

Claim 8, line 15, replaced "tooth" with --teeth--.

Claim 9, line 8, replaced "risers" with --supports--.

Claim 9, line 9, replaced "the" with --a--.

Claim 9, line 10, replaced "tooth" with --teeth--.

Claim 11, line 3, replaced "tooth" with --teeth--.

Claim 11, line 9, replaced "tooth" with --teeth--.

Claim 12, line 2, replaced "tooth" with --teeth--.

Claim 13, line 2, deleted "the".

Claim 14, line 4, replaced "tooth" with --teeth--.

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Claim 14, line 5, replaced "a" with --the--.

Claim 14, line 6, replaced "tooth" with --teeth--.

Claim 15, line 2, replaced "tooth" with --teeth--.

Claim 15, line 4, replaced both occurrences of "tooth" with --teeth--.

Claim 15, line 5, replaced both occurrences of "the" with --a--.

Claim 15, line 6, replaced "tooth" with --teeth-- and replaced "the" at the end of the line with --a--.

Claim 15, line 7, replaced "tooth" with --teeth--.

Claim 15, line 8, replaced "tooth" with --teeth--.

Claim 16, line 4, inserted -- defining a first major plane-- after "plate".

Claim 16, line 6, inserted --therefrom generally-- after "extending" and replaced "therefrom" with --relative to the major plane thereof--.

Claim 16, line 7, inserted -- defining a second major plane and being-- after "plate".

Claim 16, line 9, inserted -- defining a third major plane and being-- after "bearing".

Claim 16, line 11, inserted -- defining a fourth major plane and being-- after "bearing".

Claim 16, line 12, inserted -- said major planes being oriented generally parallel with one another,-- after "bottom bearing,".

Claim 16, line 15, deleted "of said base plate and said bearings".

Claim 19, line 1, replaced second occurrence of "the" with --an--.

Claim 22, line 5, deleted "the" and replaced "pattern" with --patterns--.

Claim 23, line 14, inserted --upon-- after "and".

Claim 23, line 15, replaced "tooth" with --teeth--.

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Claim 24, line 9, replaced "the" with --a--.

Claim 24, line 10, replaced "tooth" with --teeth--.

Claim 26, line 3, replaced "tooth" with --teeth--.

Claim 26, line 9, replaced "tooth" with --teeth--.

Claim 27, line 2, replaced "tooth" with --teeth--.

Claim 28, line 2, deleted "the".

Claim 28, line 3, deleted "are".

Claim 29, line 4, replaced "tooth" with --teeth--.

Claim 29, line 5, replaced "a" with --the--.

Claim 29, line 6, replaced "tooth" with --teeth--.

Claim 30, line 1, replaced "tooth" with --teeth--.

Claim 30, line 4, replaced three occurrences of "tooth" with --teeth--.

Claim 30, line 5, replaced "tooth" with --teeth-- and replaced "the" with --a--.

Claim 30, line 7, replaced second occurrence of "the" with --a-- and replaced "tooth" with --teeth--.

Claim 30, line 9, replaced "tooth" with --teeth--.

Claim 31, line 3, inserted -- defining a first major plane--.

Claim 31, line 5, inserted --therefrom generally-- after "extending".

Claim 31, line 6, replaced "therefrom" with --relative to the major plane thereof--.

Claim 31, line 7, inserted -- defining a second major plane and being-- after "plate".

Claim 31, line 9, inserted -- defining a third major plane and being-- after "bearing".

Claim 31, line 11, inserted -- defining a fourth major plane and being-- after "bearing".

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Claim 31, line 12, inserted -- said major planes being oriented generally parallel with one another-- after "bottom bearing,".

Claim 31, line 15, deleted "of said base plate and said bearings".

Claim 32, line 14, inserted --upon-- after "and".

Claim 32, line 15, replaced "tooth" with --teeth--.

Claim 33, line 9, replaced "the" with --a--.

Claim 33, line 10, replaced "tooth" with --teeth--.

Claim 35, line 3, replaced "tooth" with --teeth--.

Claim 35, line 9, replaced "tooth" with --teeth--.

Claim 36, line 2, deleted "the".

Claim 37, line 4, replaced "tooth" with --teeth--.

Claim 37, line 5, replaced "tooth" with --teeth--.

Claim 37, line 6, replaced "tooth" with --teeth--.

Claim 38, line 1, deleted "of" and replaced "tooth" with --teeth--.

Claim 38, line 4, replaced three occurrences of "tooth" with --teeth--.

Claim 38, line 5, replaced "a" with --the--.

Claim 38, line 7, replaced second occurrence of "the" with --a-- and replaced "tooth" with --teeth--.

Claim 38, line 9, replaced "tooth" with --teeth--.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darren W. Ark whose telephone number is (703) 305-3733 or (571) 272-6885. The examiner can normally be reached on M-Th, 8:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Poon can be reached on (703) 308-2574. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Darren W. Ark  
Primary Examiner  
Art Unit 3643

DWA